IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7467 OF 2007

Subhash Janardhan Joshi .... Petitioner

Vs.

Smt. Ramabai Ramkrishna Lele since deceased through L.Rs. .... Respondents

Mr. Amit B. Borkar for the Petitioner

CORAM : A.P. DESHPANDE, J.
DATE : 26TH OCTOBER, 2007

P.C.

1) The petitioner is the original plaintiff. The plaintiff after leading the evidence has closed the same. Thereafter the defendants have led oral evidence and closed the evidence. Thereafter the matter came to be fixed for final hearing / arguments. At that stage, the Plaintiff moved an application for leading further evidence and the rejection of the said application, seeking permission to lead further evidence has given rise to the filing of the present petition.

2) In the first place, the Petitioner has failed to demonstrate the relevance of the evidence that he propose to lead.

3) The Trial Court has found that permitting the Plaintiff to lead the evidence after closing the evidence by the defendants would cause prejudice to the defendants.

4) Perused the impugned order. N interference is called for. The Writ Petition is summarily dismissed.

(A.P. DESHPANDE, J.)